

Remarks

Minor changes have been made to paragraphs 5, 6, and 23 of the specification. Claims 1 and 11 have been amended. None of these amendments adds new matter. Claims 1-39 remain in the application. Reexamination and reconsideration of the application as amended are requested.

Paragraph 5 of the specification has been amended to correct an obvious typographical error by replacing "safeguards" with "sideguards" and to comport the paragraph more closely with claim 1 as amended. Paragraph 6 has been amended to comport it with amended claim 11. Paragraph 23 has been amended to correct minor typographical errors.

Claims 1 and 11 have been amended to replace the term "unitarily formed" with "unitarily molded." Basis for the amendment is found, among other places, in paragraph 18 of the specification. Claim 1 has been further amended to define the "top surface" of the plastic module body as "extending longitudinally from the first end to the second end and transversely from the first side to the second side." Basis for the amendment is found, among other places, in paragraph 17 of the specification and in all the drawings.

The Examiner rejected claims 1, 8, 10, 11, 12, 15, and 16 under 35 USC § 102(b) as being anticipated by the Packworld.com reference. In his rejection, the Examiner states that Packworld.com discloses all the claim limitations of the rejected claims. Packworld.com does not disclose a sideguard unitarily molded with a plastic module body as in amended independent claim 1 or a wall unitarily molded with a plastic module body as in amended independent claim

11. The sideguards shown in the Packworld.com reference are separate attachments that are held in place in the belt by hinge rods linking the modules of consecutive belt rows, as described in paragraph 3 of the specification of this application. The Packworld.com sideguards are not unitarily molded with the belt module bodies. Because the Packworld.com reference does not teach every element of claims 1 and 11, it cannot anticipate those claims. The rejection is overcome with respect to independent claims 1 and 11 and dependent claims 8, 10, 12, 15, and 16.

The Examiner rejected claims 1, 2, 3, 6, 9, and 10 under 35 USC § 103(a) as being unpatentable over Olsson (US 4,603,776) in view of Guldenfels (US 6,382,404). (Claims 2, 3, 6, 9, and 10 depend from claim 1.) The Examiner held that Olsson discloses all the claim limitations of the rejected claims, but does not disclose a plastic conveyor belt. According to the Examiner, Guldenfels teaches the use of plastic conveyor belts and it would have been obvious to one having ordinary skill in the art to use plastic, as taught by Guldenfels, to make the device of Olsson. The rejection of independent claim 1 and dependent claims 2, 3, 6, 9, and 10 is overcome because Olsson does not disclose all the limitations of independent claim 1, as amended. Olsson does not disclose a top surface extending longitudinally from the first end of the module body to the second end and transversely from the first side of the module body to the second side.

The Examiner objected to claims 4, 5, 7, 13, and 14 as being dependent on a rejected base claim, but allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claims 4, 5, and 7 depend from amended base claim 1 and

should be allowable. Claims 13 and 14 depend from amended base claim 11 and should be allowable.

In view of these remarks, claim 1 and its dependent claims 2-10 and claim 11 and its dependent claims 12-16 are in condition for allowance. Claims 17-36 were previously indicated as allowed. Applicant respectfully requests reconsideration of the rejections of the claims in view of the amendments and remarks and early allowance of the application.

This amendment is being sent within three months of the Office Action so no extension of time petition fee should be due. Authorization to charge any fees deemed necessary for consideration of this response to Deposit Account No. 12-0090 is hereby given. If the Examiner thinks a telephone conference would expedite the prosecution of this application, he is invited to call the undersigned attorney.

Respectfully submitted,
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